

with good motives, and for justifiable ends, the truth shall be a justification; and the jury shall be the judges of the law and facts.

16. That no person shall be put to answer any criminal charge but by presentment, indictment, or impeachment.

17. That no conviction shall work corruption of blood or forfeiture of estate.

18. That retrospective laws, punishing acts committed before the existence of such laws, and by them only declared penal or criminal, are oppressive, unjust, and incompatible with liberty; wherefore, no *ex post facto* law shall ever be made.

19. That no law impairing the obligation of contracts shall ever be passed.

20. That the people have a right, in a peaceable manner, to assemble together to consult for the common good; and to apply to those invested with the powers of government for redress of grievances, or other proper purposes, by petition, address, or remonstrance.

21. That the free white men of this State shall have a right to keep and to bear arms for their common defence.

22. That no soldier, in time of peace, shall be quartered in any house, without the consent of the owner; nor in time of war, but in a manner prescribed by law.

23. That no standing army shall be kept up without the consent of the Legislature; and the military shall in all cases and at all times be in strict subordination to the civil power.

24. That perpetuities and monopolies are contrary to the genius of a free State, and ought not to be allowed.

25. That no hereditary emoluments, privileges, or honours, shall ever be granted or conferred in this State.

26. That frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty.

27. That, to guard against transgressions upon the rights of the people, we declare that every thing in this article is excepted out of the general powers of government, and shall forever remain inviolate; and that all laws contrary thereto, or to the following provisions, shall be void.

ARTICLE 2.

Distribution of the Powers of Government.

§ 1. The powers of the government of the State of Florida shall be divided into three distinct departments, and each of them confided to a separate body of magistracy, to wit: Those which are legislative to one; those which are executive to another; and those which are judicial to another.

2. No person, or collection of persons, being of one of those departments, shall exercise any power properly belonging to either of the others, except in the instances expressly provided in this constitution.

ARTICLE 3.

Executive Department.

§ 1. The supreme executive power shall be vested in a chief magistrate, who shall be styled the Governor of the State of Florida.

2. The Governor shall be elected for four years, by the qualified electors, at the time and place where they shall vote for Representatives, and shall remain in office until a successor be chosen and qualified; and shall not be eligible to re-election until the expiration of four years thereafter.

3. No person shall be eligible to the office of Governor unless he shall have attained the age of thirty years, shall have been a citizen of the United States ten years, or an inhabitant of Florida at the time of the adoption of this constitution, (being a citizen of the United States,) and shall have been a resident of Florida at least five years next preceding the day of election.

4. The returns of every election for Governor shall be sealed up and transmitted to the seat of Government, directed to the Speaker of the House of Representatives, who shall, during the first week of the session, open and publish them in the presence of both Houses of the General Assembly; and the person having the highest number of votes shall be Governor; but if two or more shall be equal, and highest in votes, one of them shall be chosen Governor by the joint vote of the two Houses; and contested elections for Governor shall be determined by both Houses of the General Assembly, in such manner as shall be prescribed by law.

5. He shall, at stated times, receive a compensation for his services, which shall not be increased or diminished during the term for which he shall have been elected.

6. He shall be commander-in-chief of the army and navy of this State, and of the militia thereof.

7. He may require information, in writing, from the officers of the executive department, on any subject relating to the duties of their respective offices